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PTO/SB/65 (03-09)

Approved for use through 03/31/2012. OMB 0651-0016

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION TO ACCEPT UNAVOIDABLY DELAYED PAYMENT OF MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378(b))**

Docket Number (Optional)  
AVE-19891.02

Mail to: Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450  
Fax: (571) 273-8300

**RECEIVED**

**JUN 08 2010**

**OFFICE OF PETITIONS**

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

Patent Number: 6,354,212

Application Number: 09/479,273

Issue Date: March 12, 2002

Filing Date: January 5, 2000

CAUTION: Maintenance fee (and surcharge, if any) payment must correctly identify: (1) the patent number (or reissue patent number, if a reissue) and (2) the application number of the actual U.S. application (or reissue application) leading to issuance of that patent to ensure the fee(s) is/are associated with the correct patent. 37 CFR 1.366(c) and (d).

Also complete the following information, if applicable:

The above-identified patent:

06/04/2010 DALLEN 00000054 180160 6354212

01 FC:1599 1680.00 DA

☐ is a reissue of original Patent No. \_\_\_\_\_ original issue date \_\_\_\_\_  
original application number \_\_\_\_\_  
original filing date \_\_\_\_\_

☐ resulted from the entry into the U.S. under 35 U.S.C. 371 of international application  
\_\_\_\_\_ filed on \_\_\_\_\_

**CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is

(1) being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 OR

(2) transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

May 28, 2010  
Date

Lisa M D'Ambrosia  
Signature

Lisa M. D'Ambrosia

Typed or printed name of person signing Certificate

09/13/2010 CKHLOK 00000023 180160 6354212

01 FC:1551 980.00 DA  
02 FC:1557 700.00 DA

Adjustment date: 09/13/2010 CKHLOK  
06/04/2010 DALLEN 00000054 180160  
01 FC:1599 1680.00 CR

6354212

[Page 1 of 4]

This collection of information is required by 37 CFR 1.378(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

## 1. SMALL ENTITY

☐ Patentee claims, or has previously claimed, small entity status. See 37 CFR 1.27

## 2. LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

☒ Patentee is no longer entitled to small entity status. See 37 CFR 1.27(g)

## 3. MAINTENANCE FEE (37 CFR 1.20(e)-(g))

The appropriate maintenance fee must be submitted with this petition, unless it was paid earlier.

NOT Small Entity			Small Entity		
Amount	Fee	(Code)	Amount	Fee	(Code)
<input checked="" type="checkbox"/> \$ 980.00	3 ½ yr fee	(1551)	<input checked="" type="checkbox"/> \$ _____	3 ½ yr fee	(2551)
<input checked="" type="checkbox"/> \$ 2,480.00	7 ½ yr fee	(1552)	<input type="checkbox"/> \$ _____	7 ½ yr fee	(2552)
<input type="checkbox"/> \$ _____	11 ½ yr fee	(1553)	<input type="checkbox"/> \$ _____	11 ½ yr fee	(2553)

MAINTENANCE FEE BEING SUBMITTED \$ 3,460.00

## 4. SURCHARGE

The surcharge required by 37 CFR 1.20(i)(1) of \$ 700.00 (Fee Code 1557) must be paid as a condition of accepting unavoidably delayed payment of the maintenance fee.

SURCHARGE FEE BEING SUBMITTED \$ 700.00

## 5. MANNER OF PAYMENT

- ☐ Enclosed is a check for the sum of \$ \_\_\_\_\_
- ☒ Please charge Deposit Account No. 18-0160 the sum of \$ 4,160.00 .
- ☐ Payment by credit card. Form PTO-2038 is attached.

## 6. AUTHORIZATION TO CHARGE ANY FEE DEFICIENCY

☒ The Director is hereby authorized to charge any maintenance fee, surcharge or petition fee deficiency to Deposit Account No. 18-0160 .

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**7. OVERPAYMENT**

As to any overpayment made, please

☒ Credit to Deposit Account No. 18-0160

OR

☐ Send refund check**WARNING:**

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

**8. SHOWING**

The enclosed statement will show that the delay in timely payment of the maintenance fee was unavoidable since reasonable care was taken to ensure that the maintenance fee would be paid timely and that this petition is being filed promptly after the patentee was notified of, or otherwise became aware of, the expiration of the patent. The statement must enumerate the steps taken to ensure timely payment of the maintenance fee, the date and the manner in which the patentee became aware of the expiration of the patent, and the steps taken to file the petition promptly.

**9. PETITIONER(S) REQUESTS THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED.**\_\_\_\_\_  
Signature(s) of Petitioner(s)\_\_\_\_\_  
Date\_\_\_\_\_  
Typed or printed name(s)\_\_\_\_\_  
Registration Number, if applicable\_\_\_\_\_  
Address\_\_\_\_\_  
Telephone Number\_\_\_\_\_  
Address**ENCLOSURES:**

- ☒ Maintenance Fee Payment  
☒ Statement why maintenance fee was not paid timely  
☒ Surcharge under 37 CFR 1.20(i)(1) (fee for filing the maintenance fee petition)  
☐ Other: \_\_\_\_\_

37 CFR 1.378(d) states: "Any petition under this section must be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the patentee, the assignee, or other party in interest."

  
Signature

Mark E. Bandy

Type or printed name

May 28, 2010

Date

35788

Registration Number, if applicable

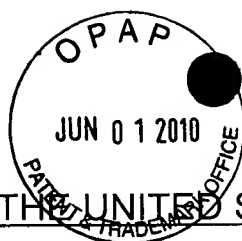
STATEMENT

(In the space below, please provide the showing of unavoidable delay recited in paragraph 8 above.)

Please refer to the following attached documents:

1. Petition to Accept Delayed Payment of Maintenance Fee in Expired Patent Under 37 CFR §1.378
2. Statement of Facts in Support of Petition to Accept Delayed Payment of Maintenance Fees in Expired Patents Under 37 CFR §1.378 (Mark Bandy)
3. Statement of Facts in Support of Petition to Accept Delayed Payment of Maintenance Fees in Expired Patents Under 37 CFR §1.378 (Lynn Paula Krinsky)
4. Statement of Facts in Support of Petition to Accept Delayed Payment of Maintenance Fees in Expired Patents Under 37 CFR §1.378 (Raj Sardesai)
5. Showing of Unavoidable Delay in Support of Petitions Under 37 CFR §1.378

(Please attach additional sheets if additional space is needed)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No. : 6,354,212  
Application No. : 09/479,273 Confirmation No. 2853  
Applicant : Lynn Paula Krinsky  
Filed : January 5, 2000  
TC/A.U. : 2854  
Examiner : Ren Luo Yan  
Title : METHOD OF PREPARING CUSTOMIZED WALLPAPER  
PANELS  
Docket No. : AVE-19891.02  
Customer No. : 040854

**RECEIVED**

JUN 08 2010

OFFICE OF PETITIONS

**Petition to Accept Delayed Payment of Maintenance Fee**  
**in Expired Patent Under 37 CFR §1.378**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir/Madam:

This Petition respectfully requests that late maintenance fees for US Patent 6,354,212 to Krinsky be accepted. This petition is based upon the payment having been unavoidably delayed.

Accompanying this Petition is:

- (1) the required first maintenance fee as set forth in 37 CFR §1.20(e) of \$980;
- (2) the required second maintenance fee as set forth in 37 CFR §1.20(f) of \$2,480;
- (3) the surcharge set forth in 37 CFR §1.20(i)(1) of \$700;
- (4) Statements of Fact from several parties; and
- (5) Showing of Unavoidable Delay

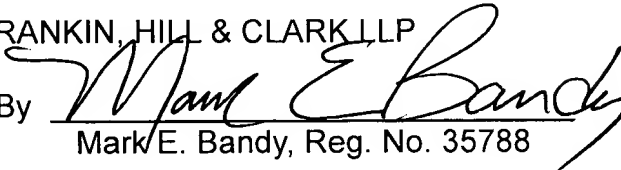
The Office is respectfully requested to accept the noted payments such that US Patent 6,354,212 to Krinsky will be in force.

If there are any fees resulting from this communication, please charge the same  
to Deposit Account No. 18-0160, Order No. AVE-19891.02.

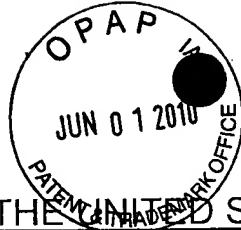
Respectfully submitted,

RANKIN, HILL & CLARK LLP

By

  
Mark E. Bandy, Reg. No. 35788

38210 Glenn Avenue  
Willoughby, Ohio 44094-7808  
(216) 566-9700



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No. : 6,631,683  
Application No. : 09/997110  
Confirmation No. : 3628  
Applicant : Lynn Paula Krinsky  
Filed : November 29, 2001  
TC/A.U. : 2854  
Examiner : Ren Luo Yan  
Title : METHOD OF PREPARING CUSTOMIZED WALLPAPER  
PANELS  
Docket No. : AVE-19891.01  
Customer No. : 040854

**RECEIVED**

JUN 08 2010

**OFFICE OF PETITIONS**

Patent No. : 6,354,212  
Application No. : 09/479,273  
Confirmation No. : 2853  
Applicant : Lynn Paula Krinsky  
Filed : January 5, 2000  
TC/A.U. : 2854  
Examiner : Ren Luo Yan  
Title : METHOD OF PREPARING CUSTOMIZED WALLPAPER  
PANELS  
Docket No. : AVE-19891.02  
Customer No. : 040854

**Statement of Facts in Support of Petition to Accept Delayed Payment  
of Maintenance Fees in Expired Patents Under 37 CFR §1.378**

1. I, Mark Bandy, am a partner and attorney in the law firm of Rankin, Hill & Clark LLP having an office at 38210 Glenn Avenue, Willoughby, Ohio.
2. On February 26, 2010, I was contacted by Raj Sardesai, Chief Intellectual Property Counsel of Avery Dennison Corporation (herein "Avery") to undertake efforts in order to petition the U.S. Patent and Trademark Office to accept delayed payment of

maintenance fees in two expired US patents recently acquired by Avery, i.e. US Patents 6,631,683 (hereinafter "the '683 patent") and 6,354,212 (hereinafter "the '212 patent").

3. I reviewed the appropriate sections of the MPEP and other authorities concerning this matter and provided my analysis with recommendations to Raj Sardesai in early March 2010.

4. On March 25, 2010, Powers of Attorney were executed by Mr. Sardesai to enable me to undertake actions in the '683 patent and the '212 patent. Those Powers were accepted by the USPTO on or about April 7, 2010.

5. On April 14, 2010, I contacted Lynn Krinsky, the former owner of the '683 patent and the '212 patent to discuss the background and reasons for non-payment of maintenance fees in these patents.

6. During the period of early May 2010, I engaged in several additional telephone conversations with Ms. Krinsky which led to the preparation of a Statement of Facts for Ms. Krinsky to review. On May 6, 2010, Ms. Krinsky executed that Statement, a copy of which accompanies the present Petitions.

7. From about May 7, 2010 to about May 18, 2010, I prepared and forwarded a corresponding Statement of Facts for Mr. Sardesai to review. The document was executed on May 19, 2010 and accompanies the present Petitions.

8. The undersigned being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements and the like may jeopardize the validity of the application or document



or any registration resulting therefrom, declares that all statements made of his own knowledge are true; and all statements made on information and belief are believed to be true.

May 28, 2010  
Date

Mark Bandy  
Mark Bandy



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No. : 6,631,683  
Application No. : 09/997110  
Confirmation No. : 3628  
Applicant : Lynn Paula Krinsky  
Filed : November 29, 2001  
TC/A.U. : 2854  
Examiner : Ren Luo Yan  
Title : METHOD OF PREPARING CUSTOMIZED WALLPAPER  
PANELS  
Docket No. : AVE-19891.01  
Customer No. : 040854

**RECEIVED**

**JUN 08 2010**

**OFFICE OF PETITIONS**

Patent No. : 6,354,212  
Application No. : 09/479,273  
Confirmation No. : 2853  
Applicant : Lynn Paula Krinsky  
Filed : January 5, 2000  
TC/A.U. : 2854  
Examiner : Ren Luo Yan  
Title : METHOD OF PREPARING CUSTOMIZED WALLPAPER  
PANELS  
Docket No. : AVE-19891.02  
Customer No. : 040854

Statement of Facts in Support of Petition to Accept Delayed Payment  
of Maintenance Fees in Expired Patents Under 37 CFR §1.378

1. I, Lynn Paula Krinsky, am president and owner of Stella Color of Seattle, Washington. Stella Color is a full service source for digital printing and imaging services and products.
2. I am the named inventor and former owner of US Patents 6,631,683 (hereinafter "the '683 patent") and 6,354,212 (hereinafter "the '212 patent").

3. Each of these patents is directed to methods of preparing customized wallpaper panels. The methods claimed in the '212 and the '683 patents are directed to methods of providing customized wallpaper involving various design and selection operations, interactions with a customer, and a final operation of printing a customized design onto a suitable medium.

4. I paid the issue fee for the '212 patent resulting in issuance of that patent on March 12, 2002.

5. I paid the issue fee for the '683 patent resulting in issuance of that patent on October 14, 2003.

6. As I understand, the first maintenance fee for the '212 patent was due during the time period of March 12, 2005 to September 12, 2005.

7. As I understand, the first maintenance fee for the '683 patent was due during the time period of October 14, 2006 to April 14, 2007.

8. Up to and during the time periods noted in paragraphs 6 and 7, insufficient business reasons existed to justify payment of the first maintenance fees for the '212 and the '683 patents. Specifically, the market for customized wallpaper panels and thus, the importance for patents covering methods of providing such, did not provide sufficient cause for the expenditure of maintenance fees.

9. As a result of contact from an anonymous party through an intermediary, on April 1, 2009, I executed a Patent Purchase Agreement in which I sold the '212 and the '683 patents to the intermediary.

10. The undersigned being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful

false statements and the like may jeopardize the validity of the application or document or any registration resulting therefrom, declares that all statements made of her own knowledge are true; and all statements made on information and belief are believed to be true.

5/6/2010  
Date

Lynn Paula Krinsky  
Lynn Paula Krinsky



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Patent No.	:	6,631,683	<b>RECEIVED</b>
Application No.	:	09/997110	
Confirmation No.	:	3628	JUN 08 2010
Applicant	:	Lynn Paula Krinsky	
Filed	:	November 29, 2001	OFFICE OF PETITIONS
TC/A.U.	:	2854	
Examiner	:	Ren Luo Yan	
Title	:	METHOD OF PREPARING CUSTOMIZED WALLPAPER PANELS	
Docket No.	:	AVE-19891.01	
Customer No.	:	040854	

Patent No.	:	6,354,212
Application No.	:	09/479,273
Confirmation No.	:	2853
Applicant	:	Lynn Paula Krinsky
Filed	:	January 5, 2000
TC/A.U.	:	2854
Examiner	:	Ren Luo Yan
Title	:	METHOD OF PREPARING CUSTOMIZED WALLPAPER PANELS
Docket No.	:	AVE-19891.02
Customer No.	:	040854

**Statement of Facts in Support of Petition to Accept Delayed Payment  
of Maintenance Fees in Expired Patents Under 37 CFR §1.378**

1. I, Raj Sardesai, am Vice President and Chief Intellectual Property Counsel of Avery Dennison Corporation. Avery Dennison develops and markets a wide range of products involving pressure sensitive materials used in roll products, graphics and reflective products, and performance polymers; retail information products and services relating to graphics imaging media and printer systems and fasteners; various office and consumer products; and various specialty businesses such as tapes, radio

frequency identification (RFID) technology, industrial and automotive products, security printing, and performance films.

2. US Patents 6,631,683 (hereinafter "the '683 patent") and 6,354,212 (hereinafter "the '212 patent") were identified as potentially being of interest to Avery Dennison due to the subject matter disclosed and claimed in these patents. Specifically, it was believed that the methods claimed in these patents, i.e. methods of providing customized wallpaper, may pertain to one or more business groups or projects within Avery.

3. Accordingly, efforts were undertaken to investigate the '683 patent and the '212 patent and to identify their owner.

4. The owner of the '683 patent and the '212 patent was identified as Lynn Paula Krinsky, president and owner of Stella Color of Seattle, Washington.

5. At that time, it was also determined that the maintenance fees for these patents had been due, and that neither of the maintenance fees for the patents had been paid.

6. Using an intermediary, Ms. Krinsky was contacted in early 2009 to inquire whether she would be interested in assigning the '683 patent and the '212 patent.

7. On April 1, 2009, Ms. Krinsky executed a Patent Purchase Agreement in which she sold the '683 patent and the '212 patent to the intermediary.

8. On or about April 20, 2009, the intermediary executed an Assignment thereby transferring the '683 patent and the '212 patent to Avery Dennison.

9. During the time period of from late April 2009 to February 2010, Avery was engaged in efforts relating to obtaining the complete files associated with the '683 patent and the '212 patent from the intermediary and Ms. Krinsky, reviewing the subject

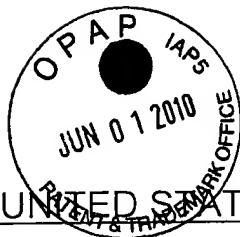
matter and claims in each of the '683 patent and the '212 patent to determine each patent's relevance and potential value to any Avery business groups and/or current or proposed projects, and obtaining authorization from the relevant business groups to undertake revival efforts of both patents.

10. On February 26, 2010, I contacted Mark Bandy of Rankin, Hill & Clark LLP, to investigate and undertake revival efforts for both the '683 patent and the '212 patent.

11. The undersigned being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements and the like may jeopardize the validity of the application or document or any registration resulting therefrom, declares that all statements made of his own knowledge are true; and all statements made on information and belief are believed to be true.

May 19, 2010  
Date

Raj Sardesai  
Raj Sardesai



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**RECEIVED**

JUN 08 2010

**OFFICE OF PETITIONS**

Patent No. : 6,631,683  
Application No. : 09/997110  
Confirmation No. : 3628  
Applicant : Lynn Paula Krinsky  
Filed : November 29, 2001  
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Docket No. : AVE-19891.01  
Customer No. : 040854

Patent No. : 6,354,212  
Application No. : 09/479,273  
Confirmation No. : 2853  
Applicant : Lynn Paula Krinsky  
Filed : January 5, 2000  
TC/A.U. : 2854  
Examiner : Ren Luo Yan  
Title : METHOD OF PREPARING CUSTOMIZED WALLPAPER  
PANELS  
Docket No. : AVE-19891.02  
Customer No. : 040854

**Showing of Unavoidable Delay in Support of**  
**Petitions Under 37 CFR §1.378**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir/Madam:

This is an explanation presented in support of two accompanying Petitions to accept delayed payments of maintenance fees in US Patents 6,631,683 and 6,354,212. The '212 patent issued on March 12, 2002 and matured from an application filed on January 5, 2000. The '683 patent matured from a continuation application filed on



November 29, 2001.<sup>1</sup> The '683 patent issued on October 14, 2003, and subject to a Terminal Disclaimer.

Also presented herewith and in support of the noted Petitions are Statements of Fact from all relevant parties during the time periods at issue. Specifically, accompanying the noted Petitions are three Statements of Fact as follows:

(i) Statement of Facts from the original owner of the '683 patent and the '212 patent, Lynn Paula Krinsky, from their respective issuance dates until April 1, 2009;

(ii) Statement of Facts from an officer of the current owner of the '683 patent and the '212 patent, Raj Sardesai of Avery Dennison Corporation, from April 2009 to present; and

(iii) Statement of Facts from the undersigned attorney undertaking the current petitioning efforts from February 26, 2010 to present.

As explained and evidenced in the accompanying Statements of Facts, the '683 patent and the '212 patent were originally issued to Lynn Paula Krinsky. Ms. Krinsky is the sole inventor named in each patent and President of Stella Color of Seattle, Washington. Both of the patents relate to unique methods for preparing customized wallpaper panels. The '683 patent is directed to methods in which various wallpaper designs are displayed for customer viewing, the customer then selecting certain wallpaper customizing information involving the designs and subdesigns, relaying the information to a customizing source to produce a customized digital image, and then printing that image. The '212 patent is directed to similar methods of providing customized wallpaper involving creating digital images of the designs and subdesigns,

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<sup>1</sup> This application was a continuation of the application that matured into the '212 patent.

displaying the designs for customer viewing, the customer indicating design-customizing information, modifying the digital image to include the indicated information, and printing the customized design.

The first maintenance fee for the '212 patent was due during the period of March 12, 2005 to September 12, 2005. The first maintenance fee for the '683 patent was due during the period of October 14, 2006 to April 14, 2007.

From the period of 2002-2003 when the patents issued to the period of 2005-2007 when the first maintenance fees for the patents became due, the market for customized wallpaper panels had apparently changed such that business reasons no longer existed to enable maintenance of the patents by Stella Color, see item 8 of the Krinsky Declaration.

The reasons for the sudden shift in the marketplace are unknown. It is believed that increasing availability of technology and digital imaging and printing equipment and capabilities may have contributed to the changing business environment during the period of 2005-2007. Notwithstanding, the change in business conditions and shift in the marketplace pertaining to methods of forming customized wallpaper panels are believed to have resulted in the non-payment of maintenance fees in both the '683 patent and the '212 patent.

The current owner of the patents is Avery Dennison Corporation. In late 2008 or early 2009, these patents were identified as potentially being of interest to Avery, see item 2 of the Sardesai Declaration. Efforts were undertaken within Avery to further review the subject matter described and claimed in each of these patents, see item 3 of the Sardesai Declaration. It was eventually concluded that the patents may be useful to

one or more business groups or projects within Avery, see item 2 of the Sardesai Declaration.

Using an intermediary, Ms. Krinsky was contacted in early 2009 to inquire whether she would be interested in assigning the patents, see item 7 of the Sardesai Declaration. Ms. Krinsky agreed and the patents were subsequently transferred to Avery on or about April 20, 2009, see items 7 and 8 of the Sardesai Declaration.

Since the time of Avery acquiring ownership of the patents, additional efforts were undertaken to acquire the files associated with the prosecution and examination of the applications that matured into the patents, reviewing the subject matter of each patent in greater detail to determine each patent's relevance and potential value to Avery, and to obtain authorization from one or more business groups within Avery to proceed with the present petitioning efforts, see item 9 of the Sardesai Declaration.

And, for the last several months, the undersigned attorney has engaged in a variety of activities associated with the present petitioning efforts. These efforts are detailed in items 2-7 of the Bandy Declaration. It is earnestly submitted that in view of the parties involved; and complexity in reviewing, determining, and obtaining authorization for proceeding with the present efforts; that the Petitions were submitted promptly.

Avery Dennison has a sophisticated in-house legal and patent department with corresponding docketing systems to ensure that all future maintenance fees associated with the '683 patent and the '212 patent will be paid in the event that the present Petitions are granted.

Accordingly, the present Petitions to Accept Delayed Payment of Maintenance Fees in each of the '683 patent and the '212 patent are respectfully submitted.

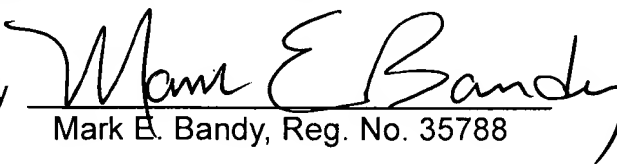
Accompanying these two Petitions, Showing, and the noted Statements of Facts, are payments for the maintenance fees for each patent. Specifically, for the '683 patent, a first maintenance fee of \$980 and a surcharge of \$700 for "unavoidable" late payment accompanies the Petition. For the '212 patent, a first maintenance fee of \$980, a second maintenance fee of \$2,480, and a surcharge of \$700 for "unavoidable" late payment accompanies the Petition.<sup>2</sup>

In view of the foregoing, it is respectfully requested that the noted maintenance fee payments be accepted in US Patents 6,631,683 and 6,354,212.

If there are any further fees resulting from this communication, please charge the same to Deposit Account No. 18-0160, Order No. AVE-19891.02.

Respectfully submitted,

RANKIN, HILL & CLARK LLP

By   
Mark E. Bandy, Reg. No. 35788

38210 Glenn Avenue  
Willoughby, Ohio 44094-7808  
(216) 566-9700

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<sup>2</sup> The second maintenance fee for the '212 patent was due within the time period of March 12, 2009 to September 12, 2009. It is believed that the surcharge of \$700 for unavoidable delay for payment of the first maintenance fee applies to the payment of the second maintenance fee. In the event that any additional surcharges or fees are necessary, the Office is invited to contact the undersigned attorney.